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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/698,779      | 10/27/2000  | Peter Michael Gits   | 2705-137            | 7155             |

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EXAMINER

BATES, KEVIN T

ART UNIT PAPER NUMBER

2155

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|   |                        |                     |  |
|---|------------------------|---------------------|--|
| <b>Response to Rule 312 Communication</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|   | 09/698,779             | GITS ET AL.         |  |
|   | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|   | Kevin Bates            | 2155                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 21 September 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

*Claims 51 and 57 have been changed in scope enough to cause a need for further analysis. While the only difference between the new independent claim and the allowed claim 45 (renumbered to claim 1), there is a scope difference in terms of the allowed claim is a method claim, while the newly added claims are a storage medium containing executable code and a device, these changes, require some further analysis so they cannot be entered at this time.*



**SALEH NAJJAR**  
SUPERVISORY PATENT EXAMINER